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SUBJECT: VENEZUELA - Trafficking in Persons Interim Assessment 2009

REF: 09 STATE 110433; 09 CARACAS 779

CLASSIFIED BY: DUDDY, AMBASSADOR, DOS, AMB; REASON: 1.4(B), (D)

¶1. (SBU) SUMMARY: There is little to no progress to report for the interim period. The Government of Venezuela (GBRV) refused to meet with Post regarding TIP and remains reluctant to share trafficking information, however it did provide some responses to Post's recent inquiries. While official information remains difficult to gather, IOs, NGOs, and shelters remain willing to share unsubstantiated information with post periodically. END SUMMARY.

¶2. (SBU) The Government of Venezuela has not amended the 2007 Organic Law on the Right of Women to a Violence-Free Life to prohibit and adequately punish all forms of trafficking in persons, particularly the internal trafficking of men and boys. Article 56 of this law does prohibit the trafficking of women and girls for the purposes of sexual exploitation, forced labor, slavery, irregular adoption, or organ extraction, prescribing punishments of 15 to 20 years' imprisonment. Articles 46 and 47 also prohibit forced prostitution and sexual slavery, and carry penalties of 15 to 20 years imprisonment. As it is currently written the 2007 law does not address the internal trafficking of adult males or boys. The Ministry of Foreign Affairs informed post on November 25, 2009, that penalties against trafficking in men and boys already exist under current law and protocols, which Post will further detail in our annual TIP report submission.

¶3. (SBU) According to information received by Post from the Ministry of Foreign Affairs on November 25, 2009, the Government of Venezuela has detained 11 people for trafficking crimes, and has conducted a total of 15 police investigations against suspected traffickers in 2008-2009. Post is unable to independently verify these statistics. The results of the 15 investigations are unknown, and the lengths and ranges of the penalties imposed on the 11 people detained are unknown. Post has requested follow up information.

¶4. (SBU) There was no information available regarding any investigations by the Government of Venezuela regarding trafficking complicity by public officials. NGOs, victims shelters, and charitable organizations reported unsubstantiated rumors that corrupt public officials, border guards, police, and members of the National Guard were occasionally involved in trafficking crimes and/or committed TIP crimes by engaging in sex with TIP victims, acting as facilitators of transport through false documentation and/or illegal border crossings, or receiving money from traffickers for "looking the other way". Post could not independently verify any of these claims.

15. (SBU) There was no information that the Government of Venezuela had provided greater assistance or services to trafficking victims. Government funding of shelters remained extremely limited. Shelters designated specifically for TIP victims remained virtually non-existent. The Ministry of Foreign affairs claimed existing "Bolivarian Social Missions" adequately

addressed the social and economic needs of all vulnerable populations, to include women, children, and adolescents. Post has received no information from the Government or civil society organizations to indicate the missions are adequately assisting TIP victims. NGOs complained the government sponsored TIP hotline frequently does not work.

16. (SBU) The Government of Venezuela did not appoint a formal TIP coordinator to lead the government's anti-trafficking efforts. The Ministry of Foreign Affairs informed Post on November 25 that current efforts to combat the crime of TIP fall under the jurisdiction of the Vice Ministry of Citizen Security, sub-unit on Crime Prevention, whose Vice Minister is Juan Francisco Romero Figueroa. The current director in charge of preventing TIP is Mr. Edwin Antonio Rojas.

17. (SBU) Post is aware of no effort to improve data collection on trafficking crimes by the Government of Venezuela. The Ministry of Foreign Affairs reported to Post on November 25, 2009, that seven cases of repatriation from abroad have occurred, six for sexual exploitation in Trinidad and Tobago and Spain, and one case of labor exploitation from Romania. Post notes these statistics are identical to the data provided on March 27, 2009 and are not new.

18. (C) Comment: The Government of Venezuela rejects any sense of obligation to cooperate with U.S. efforts on reports such as this, generally labeling all U.S. Congressionally mandated reports as unilateralist. Indeed, the GBRV has in the past characterized the U.S. practice of publishing evaluations of Venezuelan efforts on problems like drug trafficking, human rights, and TIP as an "obstacle to normalizing relations." (Ref B) Nevertheless, should an interim assessment or final TIP report contain what the GBRV alleges to be errors or unsubstantiated assertions, the GBRV would likely attempt to dismiss the TIP Report and suggest that the USG is more interested in attacking the GBRV than in seriously addressing the TIP problem. End Comment.  
DUDDY